

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CR-121-D

UNITED STATES OF AMERICA

v.

DOUGLAS GENE WHITFIELD,

Defendant.

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ORDER

On October 14, 2015, Jose A. Santana of the Federal Bureau of Prisons (“BOP”) wrote the court and asked whether the court wanted Douglas Gene Whitfield’s (“Whitfield”) 120-month federal sentence for armed bank robbery and aiding and abetting in July 2011 to run concurrently with or consecutively to Whitfield’s December 2011 sentence in North Carolina state court. See [D.E. 287]. In light of Whitfield’s state plea agreement [D.E. 287-1] 3, the court recommends that Whitfield’s December 2011 state sentence run concurrently with his July 2011 federal sentence. Cf. Setser v. United States, 132 S. Ct. 1463, 1467–73 (2012).

In light of this answer to the BOP, Whitfield’s motion [D.E. 288] is DISMISSED as moot. The clerk shall mail a copy of this order to the Honorable George B. Daniels, United States District Judge for the Southern District of New York, Jose A. Santana, and Douglas Gene Whitfield.

SO ORDERED. This 18 day of December 2015.


JAMES C. DEVER III
Chief United States District Judge